

weight pricing and aligns the fuel cost with the distance the shipment travels and the fuel usage. As a result of this change, agencies should realize transportation cost savings.

Dated: December 14, 2006.

**Tauna T. Delmonico**

Director, Travel and Transportation Management Division (FBL), GSA

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**GENERAL SERVICES ADMINISTRATION**

2006-N01

**No FEAR Act Notice**

**AGENCY:** General Services Administration

**ACTION:** Notice.

**SUMMARY:** The General Services Administration is publishing this notice to inform Federal employees, former Federal employees and applicants for Federal employment of the rights and protections available to them under Federal antidiscrimination and whistleblower protection laws.

**FOR FURTHER INFORMATION CONTACT:** Jearline Nicome at (202) 501-2143.

**No FEAR Act Notice**

The General Services Administration is committed to ensuring that Federal employees, former Federal employees and applicants are notified of the rights and protections available to them under Federal antidiscrimination and whistleblower protection laws. On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws." Public Law 107-174, Summary. In support of this purpose, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination." Public Law 107-174, Title I, General Provisions, section 101(1).

The Act also requires this agency to provide this notice to Federal employees, former Federal employees and applicants for Federal employment to inform you of the rights and protections available to you under Federal antidiscrimination and whistleblower protection laws.

**Antidiscrimination Laws**

A Federal agency cannot discriminate against an employee or applicant with

respect to the terms, conditions or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, marital status or political affiliation. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1), 29 U.S.C. 206(d), 29 U.S.C. 631, 29 U.S.C. 633a, 29 U.S.C. 791 and 42 U.S.C. 2000e-16. Although not covered by the No Fear Act, discrimination on the basis of sexual orientation is prohibited by Executive Order 11478, as amended by Executive Order 13087.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin or disability, you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination with your agency. See, e.g. 29 CFR 1614. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor as noted above or give notice of intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination based on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC) (see contact information below). In the alternative (or in some cases, in addition), you may pursue a discrimination complaint by filing a grievance through your agency's administrative or negotiated grievance procedures, if such procedures apply and are available.

**Whistleblower Protection Laws**

A Federal employee with authority to take, direct others to take, recommend or approve any personnel action must not use that authority to take or fail to take, or threaten to take or fail to take, a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law and such information is specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel at 1730 M Street NW., Suite 218, Washington, DC 20036-4505 or online through the OSC Web site--<http://www.osc.gov>.

**Retaliation for Engaging in Protected Activity**

A Federal agency cannot retaliate against an employee or applicant because that individual exercises his or her rights under any of the Federal antidiscrimination or whistleblower protection laws listed above. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws sections or, if applicable, the administrative or negotiated grievance procedures in order to pursue any legal remedy.

**Disciplinary Actions**

Under the existing laws, each agency retains the right, where appropriate, to discipline a Federal employee for conduct that is inconsistent with Federal Antidiscrimination and Whistleblower Protection Laws up to and including removal. If OSC has initiated an investigation under 5 U.S.C. 1214, however, according to 5 U.S.C. 1214(f), agencies must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits an agency to take unfounded disciplinary action against a Federal employee or to violate the procedural rights of a Federal employee who has been accused of discrimination.

**Additional Information**

For further information regarding the No FEAR Act regulations, refer to 5 CFR part 724, as well as the appropriate offices within your agency (e.g., EEO/civil rights office, human resources office or legal office). Additional information regarding Federal antidiscrimination, whistleblower protection and retaliation laws can be found at the EEOC Web site--<http://www.eeoc.gov> and the OSC Web site--<http://www.osc.gov>. Attentiveness to ensuring a work environment that is free from discrimination and reprisal is essential to maintain our world class workplace.

### Existing Rights Unchanged

Please be aware that, pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands or reduces any rights otherwise available to any employee, former employee or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

Dated: December 5, 2006

#### Lurita Doan

Administrator, General Services Administration

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

[60Day-07-0028]

#### Proposed Data Collections Submitted for Public Comment and Recommendations

In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Centers for Disease Control and Prevention (CDC) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the data collection plans and instruments, call 404-639-5960 and send comments to Seleda Perryman, CDC Assistant Reports Clearance Officer, 1600 Clifton Road, MS-D74, Atlanta, GA 30333 or send an e-mail to [omb@cdc.gov](mailto:omb@cdc.gov).

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Written comments should be received within 60 days of this notice.

#### Proposed Project

Evaluation of Customer Satisfaction with the Agency for Toxic Substances

and Disease Registry Internet Home Page and Links (OMB No. 0923-0028)—Extension—Agency for Toxic Substances and Disease Registry (ATSDR), Centers for Disease Control and Prevention (CDC).

#### Background and Brief Description

ATSDR considers evaluation to be a critical component for enhancing program effectiveness and improving resource management. ATSDR's mandate under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, is to assess the presence and nature of health hazards at specific Superfund sites. To help prevent or reduce further exposure and the illnesses that result from such exposures. ATSDR, the lead Agency within the Public Health Service for implementing the health-related provisions of CERCLA and its 1986 amendments, the Superfund Amendments and Re-authorization Act (SARA), ATSDR received additional responsibilities in environmental public health. This act broadened ATSDR's responsibilities in the areas of health assessments, establishment and maintenance of toxicologic databases, information dissemination, and medical education. Furthermore, in accordance with the Government Performance and Results Act of 1993 (Pub. L. 103-62), the e-Government Act of 2002, and the Federal Enterprise Architecture are key elements of the Presidents Management Agenda. These "e-government" initiatives have required staff at all levels of the Federal government with the improvement of program effectiveness and public accountability by promoting new focuses on results, service quality, and customer satisfaction. These staff are further charged with responsibility to articulate clearly the results of their programs in terms that are understandable to their customers, their stakeholders, and the American taxpayer. This project addresses these concerns and serves to improve ATSDR's health promotion agenda by providing data on which to assess and improve the usefulness and usability of information provided via Internet.

ATSDR's extension (continuation) efforts will follow the guidance articulated in our reinstatement application submitted and approved in 2003. Our current survey, the "ATSDR Web Site User Satisfaction Survey," was combined in the past under project 0920-0449 "Evaluation of Customer Satisfaction of the CDC and ATSDR Internet Home Page and Links." Having our own survey would allow us to tailor

the survey to our needs, manage the project effectively, and ensure that we collect the necessary information to evaluate customer satisfaction of our Web site. The 2003 reinstatement request was further modified by our most recent I-83c submission adding five replicate product-specific surveys to the OMB 0923-0028 inventory for this project. ATSDR is requesting an extension without change for the following surveys:

- ATSDR Web Site User Satisfaction Survey (WSUS)
- Toxicological Profiles User Satisfaction Survey (TPUS)
- ToxFAQs™ User Satisfaction Survey (TFUS)
- Public Health Statements User Satisfaction Survey (PHSUS)
- Toxicology Curriculum for Communities Training Manual User Satisfaction Survey (TCCUS)
- ToxProfiles™ CD-ROM User Satisfaction Survey (TP-CDUS)

ATSDR has designed this site to serve the general-public, persons at risk for exposure to hazardous substances, collaborating organizations, state and local governments, and health professionals. As a "Support Delivery of Services" tool, the ATSDR Web site presents information focused on prevention of exposure and adverse human health effects and diminished quality of life associated with exposure to hazardous substances from waste sites, unplanned releases, and other sources of pollution present in the environment. Furthermore, as a Web based delivery tool it advances the agencies health promotional messages, product outreach activities, and future survey options currently under consideration. Therefore, it is critical that ATSDR have the capacity to answer whether or not these expenditures elicit the desired effects or impact. The results of this project will ensure that these audiences will continue to find our knowledge products and informational pieces easy to access, clear, informative and useful. Specifically, this project will continue to examine whether current and future informational updates are presented in an appropriate technological format and whether it meets the needs, wants, and preferences of visitors ("customers") to the ATSDR Web site.

This extension request is for a three-year period. The survey questions have been held to the absolute minimum required for the use of the data. There are no costs to the respondents other than their time.

*Estimate of Annualized Burden Hours:*